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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil Gas and Mining

JOHN R. BAZA
Division Director

June 7, 2007

Darrell G. Boepple
Black Gold Organic Fertilizer, Inc.
3802 47th Street
Lubbock, Texas 79413

Subject: Further Deficiencies in Notice of Intention to Commence Small Mining Operations, Black Gold Organic Fertilizer, Rhea-Rae Mine, Task 1825, S0190064, Grand County, Utah

Dear Mr. Boepple:

The Division of Oil, Gas and Mining has reviewed your response to the Division's April 27, 2007, letter, and there are still issues that need to be resolved before the Notice of Intention (NOI) can be found complete.

1. The NOI says about 480 acre-feet of material would be extracted or moved. This portion of the NOI was not changed in the most recent submittal, and the Division's previous comments about the depth of the excavation still apply. Based on a mine site area of about 1.4 acres, the excavation would be about 340 feet deep. If the mine site is 5.8 acres (see comment 2 below), the excavation would be about 83 feet deep. Neither of these appears to be practical and the NOI should either be revised or show how this type of excavation would be done.
2. The map submitted with the revised NOI shows a disturbed area of about 1200 X 600 feet which is about 16.5 acres. Of this, about 5.8 acres would be for the mine itself with the balance for processing. This conflicts with the previously-submitted maps which have not been deleted from the NOI.
3. The size of the disturbed area shown in the most recent map would classify the site as a large mine for which you would need to submit a Notice of Intention to Commence Large Mining Operations (LMO). As appropriate, please revise the map or submit an LMO.

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4. The map shows several blue rectangles, one of which apparently represents a tailings pond. What are the other symbols? Where would overburden and topsoil be stored?
5. What will be the nature of the tailings once they have been processed? Please provide chemical analyses of the processed material from bench-scale or similar tests. The Division and the Division of Water Quality will need this information to assess whether there is a potential for affecting ground water.
6. Please include a list of equipment, and a description of the equipment, that will be used in processing. Specifically, the Division needs to know how much reclamation surety is needed for removal of this equipment. Will it be in trucks or on trailers, or would removal necessitate loading it?

Please provide copies of any correspondence between you and the Division of Water Quality. They will determine whether any permitting work is needed with their Division, but Oil, Gas and Mining would like to know that you have taken the step of contacting them.

The Division will await your reply before calculating a reclamation surety.

If you have questions about this letter, please contact me at 801-538-5258 or Paul Baker at 801-538-5261. In response, please reference S0190064.

Sincerely,



Susan M. White
Mining Program Coordinator
Minerals Regulatory Program

SMW:PBB:pb

cc: John Blake, SITLA

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